

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>MICHAEL S. MAPES, et al.,</b>	)	
	)	<b>8:07CV77</b>
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>WELLINGTON CAPITAL GROUP, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the court on the defendant's motion to quash (Filing No. 30) and a scheduled planning conference. The court held a telephone conference with counsel on December 28, 2007. The plaintiffs were represented by John P. Passarelli and the defendant was represented by Elizabeth M. Callaghan and Robert A. Mooney.

The defendant's motion to quash seeks to quash the plaintiffs' deposition notices for Wellington Capital Group, Inc.'s 30(b)(6) Representative, Frank Amodeo, and Matt Mokwa. While the defendant failed to adequately confer with the plaintiffs' counsel prior to filing the motion to quash, the court will consider the motion in light of the fast approaching deposition dates. The defendant is cautioned not to repeat the filing of any discovery motions without the consultation required by NECivR 7.1(l).

Following a discussion with counsel as to the progress of the discovery following an unsuccessful mediation, the court will impose various deadlines upon the parties as set forth below.

**IT IS ORDERED:**

1. The defendant's motion to quash (Filing No. 30) is granted.
2. The defendant shall supplement its responses to the plaintiffs' discovery requests **on or before February 1, 2008.**
3. The plaintiffs may notice and take the depositions of Wellington Capital Group, Inc.'s 30(b)(6) Representative, Frank Amodeo, and Matt Mokwa **between February 1, 2008 and February 12, 2008.**
4. The court will hold a telephone planning conference with counsel at **1:00 p.m. on February 15, 2008.** Plaintiffs' counsel shall initiate the telephone conference.

DATED this 28th day of December, 2007.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge